

William J. O'Shaughnessy (WJO 5256)  
McCARTER & ENGLISH, LLP  
Four Gateway Center  
100 Mulberry Street  
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Evan R. Chesler  
David R. Marriott  
CRAVATH, SWAINE & MOORE LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, New York 10019  
(212) 474-1000

Attorneys for Defendant Qualcomm Incorporated

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

BROADCOM CORPORATION,	:	
	:	Civil Action No. 05-3350 (MLC)
Plaintiff,	:	
	:	
v.	:	
	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**NOTICE OF MOTION FOR ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that on December 19, 2005 at 9:00 a.m., or as soon thereafter as counsel may be heard, defendant Qualcomm Incorporated ("defendant") will move before this Court for an order admitting Richard J. Stark of the law firm of Cravath, Swaine & Moore LLP, and Robert P. Taylor of the law firm of Howrey LLP, *pro hac vice* in this action.

In support of the motion, defendant relies on the Accompanying Affidavits of Richard J. Stark and Robert P. Taylor. Defendant respectfully submits that no brief is necessary in

connection with this motion, in as much as the bases of this application are set forth in the accompanying Affidavits.

Dated: November 29, 2005

McCARTER & ENGLISH, LLP

By: William J. O'Shaughnessy  
William J. O'Shaughnessy (WJO-5256)  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102  
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v.	:	
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QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**ORDER GRANTING ADMISSION *PRO HAC VICE***

This matter having been opened to the Court by McCarter & English, LLP, attorneys for defendant Qualcomm Incorporated, seeking an Order admitting Richard J. Stark, Esq., attorney at law of the State of New York, and Robert P. Taylor, Esq., attorney at law of the State of California *pro hac vice*, and the local counsel for defendant (McCarter & English, LLP) having represented that the defendant has no objection to the entry of the within Order;

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 2005,

ORDERED as follows:

1. Richard J. Stark, Esq. and Robert P. Taylor, Esq. be and they hereby are admitted *pro hac vice* to appear in this matter for all purposes on behalf of defendant Qualcomm Incorporated.

2. Richard J. Stark, Esq. and Robert P. Taylor, Esq. are required to abide by the Rules governing this Court, including all disciplinary rules, and to notify the Court immediately of any matter affecting their standing at the bar of any other court.

3. Richard J. Stark, Esq. and Robert P. Taylor, Esq. are deemed to consent to the appointment of the Clerk of the Court as agent upon whom service of process may be made for all actions against them or their firm that may arise out of their participation in this matter.

4. William J. O'Shaughnessy, Esq. of the firm of McCarter & English, LLP, and a member of the bar of this Court, has entered an appearance in this case and shall be counsel of record in accordance with Local Civil Rule 101.1(c)(3).

5. In accordance with Local Civil Rule 101.1(c)(2), Richard J. Stark, Esq. and Robert P. Taylor, Esq. will make payment to the New Jersey Lawyers' Fund for Client Protection as provided by New Jersey Rule 1:28-2(a).

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Honorable Mary L. Cooper, U.S.D.J.

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v.	:	
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QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**CERTIFICATION OF WILLIAM J. O'SHAUGHNESSY  
IN SUPPORT OF *PRO HAC VICE* ADMISSION OF  
RICHARD J. STARK AND ROBERT P. TAYLOR**

WILLIAM J. O'SHAUGHNESSY, of full age, certifies as follows:

1. I am a member of the bar of the State of New Jersey and of McCarter & English, LLP, counsel for defendant Qualcomm Incorporated in this action.

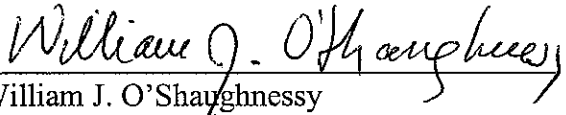
2. I make this Certification in support of the applications of Richard J. Stark and Robert P. Taylor for admission to the bar of this Court *pro hac vice*.

3. Affidavits from Mr. Stark and Mr. Taylor in support of their applications for admission to the bar of this Court *pro hac vice* have also been submitted.

4. Mr. Stark and Mr. Taylor have been advised of their obligations to comply with the Rules of Professional adopted by the New Jersey Supreme Court, and of Local Rule 101.1(c) which governs the admission of counsel *pro hac vice*.

5. Mr. Stark and Mr. Taylor will be associated with attorneys from the firm of McCarter & English, LLP in the defense of this matter, and a member of McCarter & English, LLP will sign all pleadings, briefs, and other papers filed with the Court.

I certify under penalty of perjury that the foregoing is true and correct.

  
William J. O'Shaughnessy  
(WJO-5256)

DATED: November 29, 2005

William J. O'Shaughnessy (WJO 5256)  
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QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

STATE OF NEW YORK     )  
                                  ) ss.  
COUNTY OF NEW YORK    )

**AFFIDAVIT OF RICHARD J. STARK IN SUPPORT OF  
ADMISSION *PRO HAC VICE***

Richard J. Stark, being duly sworn, deposes and says:

1. I am a member of the law firm of Cravath, Swaine & Moore LLP. My business address is Worldwide Plaza, 825 Eighth Avenue, New York, New York 10019-7475. I make this Affidavit in support of the motion of defendant Qualcomm Incorporated ("Qualcomm") to admit me *pro hac vice* for purposes of representing them in this matter.

2. I am a member in good standing of the bar of the State of New York, the state in which I principally practice law. I am also a member in good standing of the bar of the State of Connecticut, the state in which I reside. There are no disciplinary proceedings presently pending against me, and no discipline has previously been imposed upon me.

3. I am a 1991 graduate of the New York University School of Law. I was admitted to practice in the State of New York in 1992, and the State of Connecticut in 1991. I am also admitted to practice before the United States Supreme Court (2002), the United States Court of Appeals for the Federal Circuit (2000), the United States Court of Appeals for the District of Columbia (2001), the United States Court of Appeals for the Second Circuit (2003), the United States Court of Appeals for the Seventh Circuit (2003), the United States District Court for the Southern District of New York (1992), the United States District Court for the Eastern District of New York (1992), the United States District Court for the Eastern District of Michigan (2000), the United States District Court for the District of Colorado (2000), the United States District Court for the District of Columbia (2001), the United States District Court for the Eastern District of Wisconsin (2001), and the United States District Court for the Northern District of Illinois (2003). I am currently and have always been a member in good standing in these Courts.

4. My principal practice involves civil and commercial litigation.

5. Our law firm is counsel for Qualcomm and we have represented Qualcomm in other lawsuits, and Qualcomm has requested that we represent it in all aspects of this case, including trial, and I accordingly request that the Court admit me *pro hac vice* for these purposes.

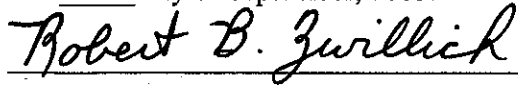
6. I am familiar with and, if admitted, will abide by the Local Rules of this Court. I am associated in this matter with New Jersey counsel, William J. O'Shaughnessy, Esq. of the law firm of McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, Newark, New Jersey 07102.



7. I will make any required payment to the New Jersey Lawyers' Fund for Client Protection.

  
Richard J. Stark

Sworn and subscribed to before me,  
a notary public of the State of New York,  
this 22 day of September, 2005.

  
Robert B. Zwillich

ROBERT B. ZWILLICH  
Notary Public, State of New York  
No. 31-4630959  
Qualified in New York County  
Commission Expires October 31, 2006

William J. O'Shaughnessy (WJO 5256)  
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Richard J. Stark  
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	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

STATE OF CALIFORNIA    )  
                                  ) ss.  
COUNTY OF \_\_\_\_\_ )

**AFFIDAVIT OF ROBERT P. TAYLOR IN SUPPORT OF  
ADMISSION *PRO HAC VICE***

Robert P. Taylor, being duly sworn, deposes and says:

1. I am a member of the law firm of Howrey LLP. My business address is 301 Ravenswood Ave., Menlo Park, California 94025-3434. I make this Affidavit in support of the motion of defendant Qualcomm Incorporated ("Qualcomm") to admit me *pro hac vice* for purposes of representing them in this matter.

2. I am a member in good standing of the bar of the State of California, the state of which I am a resident and in which I principally practice law. There are no disciplinary proceedings presently pending against me, and no discipline has previously been imposed upon me.

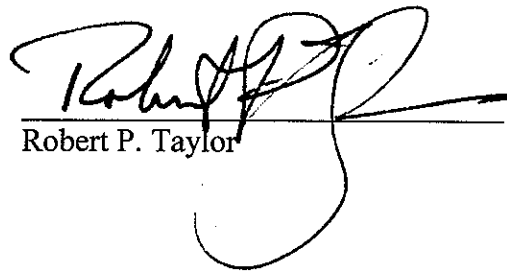
3. I am a 1969 graduate of the Georgetown University School of Law. I was admitted to practice in the State of California in 1970. I am also admitted to practice before the United States Supreme Court (1976), the United States Court of Appeals for the Ninth Circuit (1970), the United States Court of Appeals for the Federal Circuit (1985, readmitted 1992), the United States District Court for the Northern District of California (1970), the United States District Court for the Eastern District of California (1984), the United States District Court for the Central District of California (1972, readmitted 1997), the United States District Court for the Southern District of California (1995), and the United States District Court for the Southern District of New York (1999). I am currently and have always been a member in good standing in these Courts.

4. My principal practice involves civil and commercial litigation.

5. Our law firm is counsel for Qualcomm and we have represented Qualcomm in other lawsuits, and Qualcomm has requested that we represent it in this case, and I accordingly request that the Court admit me *pro hac vice* for these purposes.

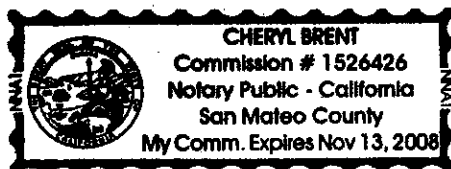
6. I am familiar with and, if admitted, will abide by the Local Rules of this Court. I am associated in this matter with New Jersey counsel, William J. O'Shaughnessy, Esq. of the law firm of McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, Newark, New Jersey 07102.

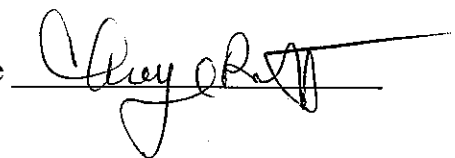
7. I will make any required payment to the New Jersey Lawyers' Fund for Client Protection.

  
Robert P. Taylor

State of California  
County of SAN MATEO

Subscribed and sworn to (or affirmed) before me on this 23<sup>rd</sup> day of September, 2005  
by ROBERT P. TAYLOR, personally known to me or proved to me on the basis of  
satisfactory evidence to be the person(s) who appeared before me.



Signature 

William J. O'Shaughnessy (WJO 5256)  
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Plaintiff,	:	
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v.	:	
	:	
QUALCOMM INCORPORATED,	:	
	:	
Defendant.	:	

**CERTIFICATION OF SERVICE**

RICHARD HERNANDEZ, of full age, certifies as follows:

1. I am an attorney at law of the State of New Jersey and am associated with the firm of McCarter & English, LLP, attorneys for defendant Qualcomm Incorporated.
2. On November 29, 2005, I caused to be delivered by regular mail copies of the Notice of Motion for Admission *Pro Hac Vice*, Certification of William J. O'Shaughnessy in Support of Motion for Admission *Pro Hac Vice*, Affidavits of Richard J. Stark and Robert P.

Taylor in Support of Admission *Pro Hac Vice*, and a proposed form of Order granting Admission *Pro Hac Vice* to the following:

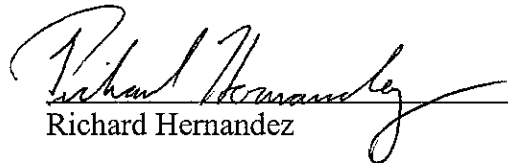
David S. Stone, Esq.  
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Short Hills, New Jersey 07078

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Cleary Gottlieb Steen & Hamilton LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006

David Boies, Esq.  
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570 Lexington Avenue  
New York, New York 10022

Anne Patterson, Esq.  
Riker Danzig Scherer Hyland & Perretti LLP  
Headquarters Plaza 1 Speedwell Avenue  
Morristown, New Jersey 07962

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
Richard Hernandez

DATED: November 29, 2005